

REMARKS

Applicants appreciate the detailed examination of the present application as evidenced by the Office Action of August 26, 2004. Applicants have amended Claim 38 to depend from Claim 37 and, therefore, respectfully request that the objections with respect to this claim be withdrawn. Applicants have also amended Independent Claims 1, 18 and 35 to include the recitations of dependent Claims 2, 19 and 36, respectively. The dependent claims 2, 19, and 36 have been canceled from the present application. Furthermore, Applicants have amended Claims 3, 20 and 37 to depend from Independent Claims 1, 18 and 35 instead of canceled claims 2, 19 and 36. Applicants respectfully submit that the pending claims are in condition for allowance for at least the reasons discussed herein.

Claim Objections

The Office Action objects to Claim 38 because it is dependent on itself. *See* Office Action, page 2. Applicants have amended Claim 38 to depend from Claim 37 and, therefore, request that the objection with respect to Claim 38 be withdrawn.

Independent Claims 1, 18 and 35 are Patentable over the Cited References

Claims 1-3, 6-7 and 14 stand rejected under 35 U.S.C. § 102 (e) as being anticipated by United States Patent No. 6,332,142 to LeBlanc (hereinafter "LeBlanc"). Claims 18-20, 23-24, 31, 35-37, 40-41 and 48 stand rejected for the same reasons as Claims 1-3, 6-7 and 14. *See* Office Action, page 11. Applicants respectfully submit that many of the recitations of these claims are neither disclosed nor suggested by the cited reference. For example, Claim 1 recites:

A method of determining Simple Network Management Protocol (SNMP) object identifiers in a Management Information Base (MIB) file that identify Internet Protocol (IP) addresses, comprising the steps of:

creating an intermediate file that is a representation of the MIB file containing attribute specific information including the SNMP object identifier for each attribute;

determining all the SNMP object identifiers contained in the intermediate file that identify relevant attribute types; and

generating an output file containing the SNMP object identifiers determined to identify the relevant attribute types, wherein the relevant

attribute types include an IP address type attribute and/or a table-based attribute that is pointed to by an IP address.

Claims 18 and 35 contain corresponding system and computer program product recitations, respectively. Applicants respectfully submit that at least the highlighted recitations of Claim 1 are neither disclosed nor suggested by the cited reference.

The Office Action states that LeBlanc discloses all of the recitations of Claim 1. *See* Office Action, pages 2-3. As stated in LeBlanc:

The MIB attribute discriminator (MAD) provides a mechanism that abstracts the MIB data out of the application and provides a way to look up an attribute of interest and based upon the agent/device system object identifier (OID) and possibly the agent software revision. This mechanism can provide a yes or no answer if that feature is supported. If the feature is supported the NMS is provided with the appropriate information to control that feature. If a feature is not supported by a particular system and software revision then the NMS is informed appropriately.

The MAD was developed to provide a simple and extensible mechanism to organize MIB attributes according to the agent system OID and the agent software revision. The attributes are defined in a human readable text file that is parsed at startup. The entries in the text file are described by a grammar and tokens. The MAD can support various network manufacturer's equipment simply by making entries in a MibDefinitions.cfg file.

See LeBlanc, column 6, lines 9-29 (emphasis added). In other words, according to LeBlanc the MAD is configured to create a MIB file out of an application. The MIB file contains object identifiers associated with all of the attributes of the application. *See* Exemplary MIB file, LeBlanc, columns 5 through 16. The MIB file may be used to determine if a particular feature is supported by the network management station (NMS) and to organize MIB attributes according to the agent system OID.

In contrast, Claim 1 recites determining Simple Network Management Protocol (SNMP) object identifiers in a Management Information Base (MIB) file that identify Internet Protocol (IP) addresses and generating an output file containing the SNMP object identifiers determined to identify IP addresses and/or table based attributes that are pointed to by IP addresses. Thus, some embodiments of the present invention locate object identifiers associated with IP addresses in MIB files. Nothing in LeBlanc discloses or suggests determining all the SNMP object identifiers contained in a file that only identify IP addresses or table based attributes that are

pointed to by IP addresses. In contrast, the MIB file of LeBlanc contains all object identifiers of the application. Furthermore, nothing in LeBlanc discloses or suggests creating an output file from a MIB file including object identifiers associated with IP addresses or table based attributes that are pointed to by IP addresses as recited in the claims of the present invention.

Furthermore, as discussed in the specification of the present invention, the output file generated according to embodiments of the present invention may be used for network address translation (NAT) (Claim 17) to locate IP addresses that are contained in an SNMP data packet to be transmitted. *See Specification, page 5, lines 16-17.* Nothing in LeBlanc discloses or suggests the use of the MIB definition text file (see Abstract) for network address translation as discussed with respect to embodiments of the present invention. It appears that the purpose of the MIB definition text file of LeBlanc is to "provide a simple and extensible mechanism to organize MIB attributes according to the agent system OID." *See LeBlanc, column 6, lines 20-22.*

Accordingly, Independent Claims 1, 18 and 35 are patentable over the cited reference for at least the reasons discussed herein. Furthermore, the dependent claims are patentable over the cited reference at least per the patentability of the independent base claims from which they depend.

Many of the Dependent Claims are Independently Patentable

As discussed above, the dependent claims are patentable at least per the patentability of the independent base claims from which they depend. Many of the dependent claims are also separately patentable.

Dependent Claims 3, 6-7 and 14, 20, 23-24, 31, 37, 40-41 and 48 stand rejected under 35 U.S.C. § 102 (e) as being anticipated by LeBlanc. Applicants respectfully disagree. For example, Claim 3 recites:

The method of Claim 1, wherein the determining step further comprises the steps of:

storing the SNMP object identifiers determined to identify IP address type attributes; and

storing all attributes contained in a table for table-based attributes that are pointed to by an IP address; and

determining and storing a start position of the IP address used as a pointer in the SNMP object identifier.

Claims 20 and 37 contain corresponding system and computer program product claims, respectively. As discussed above, nothing in LeBlanc discloses or suggests determining all the SNMP object identifiers contained in the intermediate file that identify IP addresses or tables pointed to by IP addresses, thus, it follows that nothing in LeBlanc discloses the details of the determining step. Furthermore, the cited portions of LeBlanc do not disclose or suggest the recitations of Claim 3. For example, column 2, lines 37-38 of LeBlanc discusses storing MIB data in memory by grammar and tokens. This does not disclose or suggest storing the SNMP object identifiers determined to identify IP address type attributes as recited in Claim 3 as suggested in the Office Action. Accordingly, Claims 3, 20 and 37 are separately patentable over the cited reference for at least these additional reasons.

Claim 14 recites:

The method of Claim 1 further comprising the step of receiving an argument that identifies the MIB file, wherein the argument is at least one of a single file name and a list of file names.

Claims 31 and 48 contain corresponding system and computer program product recitations, respectively. As discussed above, LeBlanc discusses creating a MIB file including OIDs corresponding to all attributes of an application. In contrast, Claim 14 recites receiving an argument identifying a single file name or list of file names. In other words, the argument identifies the MIB files in which the object identifiers associated with the IP addresses will be identified. Nothing in the cited portions of LeBlanc discloses or suggests the recitations of Claim 3. In particular, the cited portions of the LeBlanc discuss the MIB attribute discriminator 50 (Figure 3 of LeBlanc), not receiving an argument as recited in Claim 14. Accordingly, Claims 14, 31 and 48 are separately patentable over the cited references for at least the reasons discussed herein.

Claims 4-5, 8-13, 15-17, 21-22, 25-30, 32-34, 38-39, 42-47 and 49-51 stand rejected under 35 U.S.C. § 103 as being unpatentable over LeBlanc in view of one of United States Patent Nos. 5,651,006 to Fujino *et al.* (hereinafter "Fujino"), 5,337,360 to Fischer *et al.*, 6,026,397 to Sheppard, 6,484,257 to Ellis, United States Patent

Publication No. 2001/0052006 to Barker *et al.* and Networking Group RFC 2578, April 1999 by McCloghrie *et al.* Applicants respectfully submit that many of the recitations of these dependent claims are neither disclosed nor suggested by the cited references or any combination thereof.

The Office Action admits that LeBlanc fails to disclose all of the recitations of Claims 4, 8, 9, 11, 13, 15, and 17. However, the Office Action points to other references to provide the missing teachings. *See* Office Action, pages 5 through 10. Claims 21, 25-26, 28, 30, 32 and 34 and Claims 38, 42-43, 45, 47, 49 and 51 contain corresponding system and computer program product recitations, respectively. For example, with respect to Claim 4, the Office Action admits that the "LeBlanc reference does not explicitly state a table based attribute is pointed to by IP addresses." *See* Office Action, page 5. The Office Action points to Fujino as providing the missing teachings. The cited portion of Fujino states:

The periodical collection MIB is the MIB which is prepared from the management information that has been periodically collected by the sub-manger 10 from the IP node group of the management range. This database is structured by table type management object identifiers consisting of a plurality of entries and non-table type management object identifiers.

See Fujino, column 9, lines 25-48. Nothing in the cited portion of Fujino discloses or suggests that a table based attribute is pointed to by an IP address as recited in Claim 4. Accordingly, Claims 4, 21 and 38 are separately patentable over the cited references for at least these additional reasons.

This rejection is exemplary of the rejections of Claims 8-9, 11, 13, 15, and 17, 25-26, 28, 30, 32, 38, 42-43, 45, 47, 49 and 51. None of the cited references, either alone or in combination, disclose or suggest many of the recitations of these claims. Furthermore, there is no motivation or suggestion to combine the cited references as suggested in the Office Action. As affirmed by the Court of Appeals for the Federal Circuit in *In re Sang-su Lee*, a factual question of motivation is material to patentability, and cannot be resolved on subjective belief and unknown authority. *See In re Sang-su Lee*, 277 F.3d 1338 (Fed. Cir. 2002). It is improper, in determining whether a person of ordinary skill would have been led to this combination of references, simply to "[use] that which the inventor taught against its teacher." *W.L.*

Gore v. Garlock, Inc., 721 F.2d 1540, 1553, 220 U.S.P.Q. 303, 312-13 (Fed. Cir. 1983).

The Office Action states with respect to Claim 4:

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method of determining Simple Network Management Protocol (SNMP) object identifiers in a Management Information Base (MIB) file that identify Internet Protocol (IP) addresses as taught by LeBlanc while employing table-base attributes as taught by Fujino in order to manage the communications network with low traffic and at low cost (Fujino, col. 2, lines 54-59).

See Office Action, pages 5-6. This motivation is exemplary of all of the motivations cited in the Office Action. This motivation is a motivation based on "subjective belief and unknown authority", the type of motivation that was rejected by the Federal Circuit in *In re Sang-su Lee*. In other words, the Office Action does not point to any specific portion of the cited references that would induce one of skill in the art to combine the cited references as set forth in the Office Action. If the motivation provided in the Office Action is adequate to sustain the Office's burden of motivation, then anything that would "manage the communications network with low traffic and at low cost" would render a combination obvious. This cannot be the case. Accordingly, the statement in the Office Action with respect to motivation does not adequately address the issue of motivation to combine as discussed in *In re Sang-su Lee*. Thus, it appears that the Office Action gains its alleged impetus or suggestion to combine the cited references by hindsight reasoning informed by Applicants' disclosure, which, as noted above, is an inappropriate basis for combining references.

Furthermore, as discussed above, LeBlanc discusses creating a MIB file including OIDs associated with all attributes of an application so as to allow identification of features supported by the application. Fujino, on the other hand, discusses a hierarchical network management system which can hierarchically manage a large-scale communication network by sub-managers of a simple structure based on SNMP of the IAB management standard. See Fujino, column 2, lines 49-53. Nothing in the cited references or the art itself would motivate a person of skill in the art to combine the file creating application of LeBlanc with the management system of Fujino. Furthermore, even if LeBlanc and Fujino could be properly combined, the combination of LeBlanc and Fujino would teach creating a MIB file including all

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object identifiers associated with an application, where the OIDS may be table based or not table based. Accordingly, even if the cited references could be properly combined, the cited combination fails to teach the recitations of the claims of the present invention.

Applicants respectfully submit that the combinations of LeBlanc and the other references cited against the defendant claims do not disclose or suggest many of the recitations of the pending dependent claims and that there is no motivation to combine these references as cited in the Office Action. Accordingly, for at least these additional reasons, Applicants respectfully submit that the many of the dependent claims are separately patentable over the cited references and combinations thereof.

CONCLUSION

Applicants respectfully submit that pending claims are in condition for allowance for at least the reasons discussed above. Thus, allowance of the pending claims is respectfully requested in due course. Favorable examination and allowance of the present application is respectfully requested.

Respectfully submitted,



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